

REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1, 3-19 and 38 are pending, with claims 1 and 38 amended by the present amendment. Claims 1 and 38 are independent.

In the Official Action, claims 1, 3-7, and 15-19 and 38 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Davis (U.S. Patent No. 5,822,123) in view of Yoshida (U.S. Patent No. 5,936,611) and Shalit (U.S. Patent No. 5,714,971); and claims 8-14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Davis, Yoshida and Shalit in view of Nsonwu et al. (U.S. Patent No. 6,978,473).

Claims 1 and 38 are amended to more clearly describe and distinctly claim Applicant's invention. Support for this amendment is found in Applicant's originally filed specification.¹ No new matter is added.

Briefly recapitulating, amended claim 1 is directed to

A method for implementing a help function in a digital television receiver with a plurality of buttons, including a help button and cursor buttons, provided on the digital television receiver or on a remote controller, the method comprising the steps of:

displaying main help items including titles of external elements in the digital television receiver on a first area of a screen when a user pushes the help button;

indicating any one of the titles of the external elements with a cursor as the user manipulates the cursor buttons, and *displaying a figure of the external element indicated by the cursor on a second area of the screen*; and

¹ Specification, paragraph [0013] and Figs. 5-8.

displaying on a third area of the screen a help description with respect to **one part of the figure** indicated by the cursor on the second area of the screen without a separate key signal when the cursor indicates any **one part of the figure**,

wherein the first, second and third areas are simultaneously displayed on the screen.

Claim 38 is directed to a digital television including a controller configured to, *inter alia*, “control the display screen to display on a third area of the display screen a help description with respect to one part of the figure indicated by the cursor on the second area of the display screen without a separate key signal when the cursor indicates any one part of the figure, wherein the first, second and third areas are simultaneously displayed on the display screen.”

Davis describes an electronic program schedule system. In operation modes of flip, browse, or menu, the system of Davis may provide a user with context sensitive pop-up hints. These hints appear either when the user explicitly asks for help or when the system detects that the user needs assistance through the user’s inaction or keystroke error.² For example, if the user enters the listing by time menu screen 400 displayed in Figure 43a, which shows program listings for a single time period, and either “stalls” (remaining inactive for more than a predetermined amount of time), requests for help (by pressing the “help” key 50), or presses an improper key, the system displays a hint 402 like that shown in Figure 43a, instructing the user how to highlight another program.³ In one embodiment, each hint is displayed at one time. In an

² Davis, column 34, lines 57-64.

³ Davis, column 34, lines 7-15.

alternative embodiment, subsequent hints may be added to the hint or hints already displayed on the screen so the user is made aware of all of the different available options at the same time.⁴

Davis further describes that if the user presses a valid key other than the "HELP" key 50 while displaying a hint, the system will remove the hint from the screen, and when the help system is next activated, it will begin with the first hint in the list. In an alternate embodiment, if the user presses a command key while a hint is being displayed, the hint will be removed, but after a predetermined period of inactivity, the system will begin displaying hints, starting with the hint immediately following the hint being displayed at the time the user presses the command key. This will allow the user to see the hints not already seen without requiring the user to wait while the system displays hints that have already been seen.⁵

However, as acknowledged by the Official Action, Davis does not disclose or suggest a variety of Applicant's previously claimed features, including a) "indicating any one of the titles of the external elements with a cursor as the user manipulates the cursor buttons, and displaying a detailed configuration of the external element indicated by the cursor on a second area of the screen" and b) "displaying on a third area of the screen a help description with respect to one part of the detailed configuration indicated by the cursor on the second area of the screen without a separate key signal when the cursor indicates any one part of the detailed configuration." To cure this deficiency, the Official Action applies Yoshida.

Yoshida describes an on-screen displaying apparatus that displays a remote control hand unit. FIG. 4 of Yoshida is an example of a main screen for setting various functions of an image

⁴ Davis, column 34, lines 32-37.

display apparatus with remote control functions. If a menu key 31 on the remote control hand unit is pressed, a mode is changed over to a help mode. Various names of help functions are then displayed. In FIG. 4 of Yoshida, PICTURE is selected (highlighted with hatches). Under this condition, if key 33 is pressed, AUDIO on the right is selected. If key 33 is continuously pressed, the highlighted portion moves to the right successively. Conversely, if key 35 is continuously pressed, the highlighted portion moves to the left successively, and the highlighted item (the hatched portion in this figure) of items 51 is selected (steps S4, S5 and S14). In this case, the sub-items 52 of the selected item, that is, the adjustment (setting) sub-items regarding the image, for example, contrast, brightness, sharpness, color, tint, etc. are displayed. Similar to the selection procedure of the setting items (items 51), by pressing key 36 and key 34, the user can move the highlighted portion (the hatched portion in the figure) to select adjustment (setting) sub-item.⁶

FIG. 6 of Yoshida shows an example of the display screen when the remote control is selected in the item selection by operating the key on the remote control hand unit 10. If the remote control mode is selected in step S4 in the above-mentioned flowchart, the mode is changed over to the remote control mode, as shown in FIG. 6 (steps S5 and S6). If key 33 is pressed on the remote control hand unit 10 while the image shown in FIG. 6 is being displayed on the above-mentioned display screen, the keypad (picture) 61 shown in FIG. 7, similar to that of the remote control hand unit 10, is graphically displayed on the display screen.

⁵ Davis, column 35, lines 7-32.

⁶ Yoshida, col. 5, lines 35-43, Figs. 6-7.

FIG. 7 of Yoshida shows an example of the image (picture) of the body and the keypad similar to those of the remote control hand unit 10. If the INFO key 41 (information key) is pressed, the mode is changed over to the functional description mode of each key on the remote control hand unit 10 (step S7). By pressing the key on the remote control hand unit 10 for which the functional description is required (step S8), the displayed corresponding key on the key pad similar to that of the remote control hand unit 10 blinks or changes in color compared with the color of other keys. At the same time, the functional description of the key (the main points of the functional description described in the manual) is displayed on the display screen (steps S9 and S10).

FIG. 8 of Yoshida shows an example of the functional descriptions of the keys on the remote control hand unit 10 in characters. For example, if the TV/VIDEO key 37 is pressed on the remote control hand unit 10, the corresponding key displayed on the display screen blinks. At the same time, the message shown in FIG. 8, ("TO SELECT TV OR VIDEO INPUT MODE.") is displayed on the display screen to notify the user that the TV can be changed over to the VCR or vice versa by pressing this key. If the power key 39 is pressed on the remote control hand unit 10, the corresponding key (not shown) displayed on the display screen blinks. At the same time, the message ("TO TURN ON, PRESS AGAIN TO TURN OFF") is displayed to notify that the user can turn on the power by pressing the power key and turn off the power by pressing the key once again.

However, Yoshida fails to disclose or suggest Applicant's claimed feature of displaying a figure of the external element indicated by the cursor on a second area of the screen [while

displaying main help items including titles of external elements in the digital television receiver on a first area of a screen, and while displaying on a third area of the screen a help description with respect to one part of the figure indicated by the cursor on the second area of the screen.] That is, Yoshida fails to disclose or suggest Applicant's claimed feature of simultaneously displaying first, second and third areas on a screen. While FIG. 4 of Yoshida shows a variety of items simultaneously displayed, these items of Yoshida are not equivalent to the features simultaneously displayed in Applicant's claimed first, second and third areas.

The Official Action argues that it would be obvious to substitute sub-items menu 52 shown in FIG. 4 of Yoshida with the display of keypad 61 of remote control 10 shown in FIG. 8 of Yoshida when a cursor moves from "Picture" to "Remote Control," and then including the display of functional descriptions as illustrated in FIG. 8 of Yoshida, so as to arrive at Applicant's previously claimed first, second and third areas. Applicant traverses and notes that while a rationale is provided for combining various features of Davis and Yoshida, there is no rational for combining the identified features of FIGs. 4 and 8 of Yoshida. In KSR v. Teleflex (127 S. Ct. 1727, 1740 (2007)), the Court noted that "rejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness." Applicant submits that the proposed combination of features of FIGs. 4 and 8 of Yoshida is improper because the Official Action provides no rational underpinning to support the legal conclusion of obviousness.

Furthermore, as acknowledged by the Official Action, Davis and Yoshida fail to disclose or suggest Applicant's previously claimed feature of "displaying on a third area of the screen a help description with respect to one part of the figure indicated by the cursor on the second area of the screen without a separate key signal when the cursor indicates any one part of the detailed configuration." To cure this deficiency, the Official Action applies Shalit.

Shalit describes an interactive user interface of a computer including a monitor for displaying objects of the computer on a screen. The interface includes: a plurality of panes including a first pane having a content region for displaying the objects; and means for dragging a selected object from a content region of the first pane to one of first and second control regions so as to link the selected object to a second pane to thereby enable automatic viewing of contents of the selected object on the second pane.

In FIG. 7 of Shalit, Pane 1 (93) shows all car models available at a given dealership, Pane 2 (94) shows options available for a car model selected in Pane 1, and Pane 3 (95) shows a description of the option selected in Pane 2.⁷ The options are "Alarm System", "Air Conditioning" and "Compact Disc Player" etc. The panes of Shalit are not related to Applicant's claimed help descriptions, and are not descriptions of any sort that relate to a displayed figure. Therefore, Shalit fails to disclose or suggest Applicant's currently claimed feature of "displaying on a third area of the screen a help description with respect to one part of the figure indicated by the cursor on the second area of the screen without a separate key signal when the cursor indicates any one part of the *figure*."

Applicant has considered Nsonwu and submits Nsonwu does not cure the deficiencies of Davis, Yoshida and Shalit. As none of the cited art, individually or in combination, discloses or suggests at least the above-noted features of independent claims 1 and 38, Applicant submits the inventions defined by claims 1 and 38, and all claims depending therefrom, are not rendered obvious by the asserted references for at least the reasons stated above.⁸

⁷ Shalit, col. 9, lines 8-13.

⁸ MPEP § 2142 "...the prior art reference (or references when combined) must teach or suggest all the claim limitations.

REMARKS

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Michael E. Monaco, Reg. No. 52,041, at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated: **February 17, 2009**

Respectfully submitted,

By James T. Eller, Jr.
James T. Eller, Jr.
Registration No.: 39,538
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant